

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Edwin Pierce Pryor

Docket No. 5:17-CR-150-1D

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Edwin Pierce Pryor, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1), was sentenced by the Honorable Charles R. Butler, Jr., U.S. District Judge (SD/AL), on April 29, 1997, to the custody of the Bureau of Prisons for a term of 293 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

On September 27, 2016, pursuant to 28 U.S.C. § 2255, the defendant's term of imprisonment was reduced to 120 months followed by a 3 year term of supervised release.

Edwin Pierce Pryor was released from custody on September 29, 2016, at which time the term of supervised release commenced.

On May 9, 2017, jurisdiction of this case was transferred to the Eastern District of North Carolina.

On May 12, 2017, the court was notified that the defendant tested positive for marijuana on April 4, 2017. The probation office recommended that he be afforded an opportunity to participate in substance abuse treatment and be continued in the Surprise Urinalysis Program. The court concurred.

On June 12, 2017, the court was notified that the defendant provided a urine sample that returned positive for marijuana on May 27, 2017. As a result, it was recommended that he be allowed to continue in substance abuse treatment, the Surprise Urinalysis Program and participate in a cognitive behavioral program. The court concurred.

On August 3, 2017, the court was notified that on June 26, 2017, in Johnston County, NC, the defendant was charged with Failure to Yield Left Turn and Driving While Impaired. The probation office recommended that these new charges be allowed to resolve themselves in state court and if the defendant was convicted of Driving While Impaired, the probation office would provide a new recommendation to the court addressing this non-compliance. Additionally, it was also recommended that the defendant continue to participate in substance abuse treatment, the Surprise Urinalysis Program and in cognitive behavioral therapy. The court concurred.

On December 19, 2017, the court was notified that the defendant provided a urinalysis on December 4, 2017, that returned positive for cocaine on December 10, 2017. As a result of this non-compliance, the probation office recommended that he be allowed to participate in intensive outpatient substance abuse treatment, continue in the Surprise Urinalysis Program, and complete 48 hours of community service. The court concurred.

On March 8, 2018, the court was notified that on February 22, 2018, in Johnston County, North Carolina, the defendant was charged with Driving While License Revoked. The defendant was unaware that he had to pay a \$100 DMV fee in order to restore his North Carolina Driver's License. As a result, the probation office recommended that this charge be allowed to resolve itself in state court with no further court action taken at this time. The court concurred.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant provided a urinalysis on May 24, 2018, that returned positive for cocaine on June 3, 2018. As a result of his continued drug use, the defendant was verbally reprimanded for his poor decision to use an illegal substance. The probation office is also recommending that he be continued in the Surprise Urinalysis Program, substance abuse treatment, and complete a 60 day period of Location Monitoring (curfew). The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/ Maurice J. Foy
Maurice J. Foy
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8678
Executed On: June 06, 2018

ORDER OF THE COURT

Considered and ordered this 14 day of June, 2018, and ordered filed and made a part of the records in the above case.

James C. Dever III
James C. Dever III
Chief U.S. District Judge